

House Study Bill 606 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED IOWA
TELECOMMUNICATIONS AND
TECHNOLOGY COMMISSION BILL)

A BILL FOR

1 An Act relating to the administration and operation of the Iowa
2 communications network.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8D.4, Code 2014, is amended to read as
2 follows:

3 **8D.4 Executive director appointed.**

4 The commission, in consultation with the ~~director of~~
5 ~~the department of administrative services and the chief~~
6 information officer, shall appoint an executive director of
7 the commission, subject to confirmation by the senate. Such
8 individual shall not serve as a member of the commission.
9 The executive director shall serve at the pleasure of the
10 commission. The executive director shall be selected primarily
11 for administrative ability and knowledge in the field, without
12 regard to political affiliation. The governor shall establish
13 the salary of the executive director within range nine as
14 established by the general assembly. The salary and support of
15 the executive director shall be paid from funds deposited in
16 the Iowa communications network fund.

17 Sec. 2. Section 8D.13, subsection 5, paragraph a, Code 2014,
18 is amended to read as follows:

19 a. The Except as provided in subsection 5A, the state
20 shall lease all fiberoptic cable facilities or facilities
21 with sufficient capacity as determined by the commission
22 for Part III connections, for the judicial branch, judicial
23 district departments of correctional services, and state
24 agency connections for which state funding is provided. In
25 determining the capacity to be provided, the commission
26 shall consult with the authorized users associated with
27 the Part III connections, the judicial branch, the judicial
28 district departments of correctional services, and state
29 agencies associated with connections for which state funding
30 is provided. Such facilities shall be leased from qualified
31 providers. The state shall not own such facilities, except for
32 those facilities owned by the state as of January 1, 1994, and
33 facilities acquired as provided in subsection 5A.

34 Sec. 3. Section 8D.13, Code 2014, is amended by adding the
35 following new subsection:

1 NEW SUBSECTION. 5A. Notwithstanding any other provision
2 of this chapter to the contrary, the state may acquire and own
3 fiberoptic cable facilities or other facilities associated with
4 a Part III connection following the termination of a lease
5 with the owner of the facility if the owner offers to sell
6 or transfer ownership of the facility to the state and the
7 commission determines that state ownership of the facility is
8 in the best interests of any authorized users and the network.

9 EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill modifies provisions relating to the administration
13 and operation of the Iowa communications network.

14 Currently, the executive director of the Iowa
15 telecommunications and technology commission, which supervises
16 and administers the network, is appointed by the commission,
17 in consultation with the director of the department of
18 administrative services and the chief information officer.
19 The bill deletes the requirement that the director of the
20 department of administrative services be consulted in
21 appointing the executive director of the commission.

22 Additionally, the bill modifies the current requirement
23 that the state lease, rather than own, fiberoptic cable
24 facilities or facilities with sufficient capacity for Part
25 III connections. The bill provides that notwithstanding this
26 provision or any other provision in Code chapter 8D, the state
27 may acquire and own fiberoptic cable facilities or other
28 facilities associated with a Part III connection following the
29 termination of a lease with the owner of the facility if the
30 owner offers to sell or transfer ownership of the facility to
31 the state and the commission determines that state ownership of
32 the facility is in the best interests of any authorized users
33 and the network.